

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MONSANTO COMPANY and
MONSANTO TECHNOLOGY LLC,

Plaintiffs,

vs.

E.I. DUPONT DE NEMOURS AND
COMPANY and PIONEER HI-BRED
INTERNATIONAL, INC.,

Defendants.

Case No. 4:09-cv-00686 (ERW)

**DEFENDANTS’
MOTION FOR ORAL ARGUMENT**

Pursuant to E.D. Mo. Local Rule 4.02(B), Defendants E.I. du Pont de Nemours and Company (“DuPont”) and Pioneer Hi-Bred International, Inc. (“Pioneer”) respectfully request the Court to set the following motions for oral argument:

1. **Defendants’ Motion to Compel a Finding of Waiver Related to the Filing of U.S. Patent No. RE39,247** (Dkt. # 613)
2. **Monsanto’s Fifth Motion to Compel** (Dkt. # 638)

Defendants request oral argument on these motions due to the importance of the issues raised therein relating to the attorney-client privilege and because they believe oral argument on these motions will assist the Court in resolving these issues.

CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2011, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

- **Steven M. Berezney**
steve.berezney@huschblackwell.com
- **Kurt G. Calia**
kcalia@cov.com
- **Matthew A. Campbell**
macampbell@winston.com
- **Scott W. Clark**
sclark@mwe.com, knappj@howrey.com
- **Joseph P. Conran**
joe.conran@huschblackwell.com
- **Todd J. Ehlman**
tehlman@winston.com
- **Anthony J. Franze**
Anthony_Franze@aporter.com
- **Greg G. Gutzler**
greg.gutzler@huschblackwell.com
- **Susan K. Knoll**
sknoll@mwe.com
- **Omri E. Praiss**
omri.praiss@huschblackwell.com
- **John J. Rosenthal**
jrosenthal@winston.com
- **Steven G. Spears**
sspears@mwe.com, knappj@howrey.com, jordanc@howrey.com
- **Tamara M. Spicer**
tamara.spicer@husch.com, jean.melenbrink@husch.com
- **Dan K. Webb**
dwebb@winston.com
- **Robert N. Weiner**
Robert_Weiner@aporter.com

/s/ C. David Goerisch